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SUBJECT: UPDATE ON EU AND MEMBER STATE LOOKOUT SYSTEMS

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[1](#)B. 06 BRUSSELS 01839

Classified By: Senior Consular Representative Paul Fitzgerald  
for reasons 1.4 (b) & (d)

[1](#)1. (S) Summary. A recent survey of the European Union and Member States' terrorist and immigration lookout systems revealed a situation still in a state of flux (see reftels). While the EU develops its updated Schengen Information System II (SIS), and pursues an interim system (SIS One-4-All) that will allow new Member States to meet Schengen border control standards sooner, there is still nothing planned that would be analogous to either the NCTC or TSC databases. However, the EU and national authorities are focused on making their linked systems as seamless as possible given their financial, operational and legal constraints. This cable uses the Belgian system as one example of how a Member State integrates its lookouts with the EU system. End Summary.

[1](#)2. (S) Belgium uses two concurrent databases to screen travelers at ports of entry: a national-level database called the National Judicial Database and the European Union-managed Schengen Information System (SIS). Belgium's primary screening tool, the National Judicial Database, is available at utilizes optical character flatbed scanners to capture data in the machine-reports. The bearer's if birth, passport number through Belgian and SIS waive wants or warrants.

st is incorporated into initial Database as a "national copy", updated twice a week by a server in Strasbourg, upon request. The system is user-driven, relies on e-mail; insertion of "hits" at ports. Typical response time is 24 hours. Belgian authorities is the lingua franca is French.

[1](#)5. (S) Legal constraints can hinder the immigration systems. EU privacy laws, restricting storing entry and exit information for EU citizens. Only after a person is watchlisted will their travel begin to be monitored and reported from the SIRENE system. Should a suspected terrorist be identified ex post facto to being watchlisted, it would be impossible to reconstruct that individual's travel history without contacting the airline directly.

[1](#)6. (S) An SIS record can be entered by any participating Schengen country, but only updated or removed by the nation originally creating that record. In Belgium, an SIS record can be introduced by Belgian intelligence and police services. The SIS contains complete, actionable records on lost and stolen passports, stolen car alerts, individuals with arrest warrants, immigration violators, missing persons, and witness appearances. SIS does not contain any case information, rather is a hit/no hit database with specific action codes assigned to each record. There are three basic action codes that can be attached to a record, including: 1)

discreet surveillance (silent hit) in which a positive encounter occurs and the Schengen country that created the record is notified of the encounter 2) overt inspection (secondary inspection) in which an individual that registers as a hit against the SIS is rigorously inspected and 3) arrest, where an individual that registers as a hit is immediately arrested by the local authorities. SIS records expire in 5 years but can be re-entered.

¶17. (S) While no Belgian system tracks entries and exits, hotels are required to collect information on guests—including name and passport number—that could be used to track travel. In the past, a special unit within the Belgian police collected this information on a weekly basis, but manpower constraints have limited this activity in recent years. Belgian police now maintain liaison with the major hotels whom they call on an as-needed basis for information (Note: Recordkeeping at small hotels and guest houses, such as the flophouses around the Gare du Midi train station, may be lacking and police may have less ability to track suspicious travelers who may be staying in this kind of accommodation).

¶18. (S) Belgian Federal Police (BFP) officials have noted a qualitative difference between records entered into the domestic Belgian watchlist and SIS. A higher threshold for inclusion is typically employed for the SIS, such as requiring a complete name and date of birth, as lookouts can trigger extraterritorial law enforcement action. For example, a wanted criminal in Belgium could be detained or arrested in Italy based on the contents of an SIS record. The use of SIS for targeting criminals has expanded considerably since the introduction of the European Arrest Warrant in 2004.

¶19. (S) Belgian officials decide on a case by case basis, when there is complete information, whether to introduce a lookout into the SIS. Although SIS is an EU-level system, threshold for inclusion into SIS is decided on a national level, as regulated by current EU law. A result of this EU policy is that some countries enter more records than others—creating a disparity in the number of lookouts introduced, even among nations with similar populations. The EU is aware of this problem, but will not address it until three years after the full implementation of SIS II, which is scheduled to be operational by 2008/2009.

¶10. (S) However, lower thresholds apply to the National Judicial Database where police choose to include "softer" information such as subjects of preliminary investigations or unsubstantiated threat reporting. Informally, Belgian Police note an institutional reluctance of police and intelligence services from inputting terrorist-related lookouts in SIS because of operational sensitivities. Additionally, there are no categories within SIS for listing suspected terrorists/extremists. Instead, terrorist/extremist suspects must be listed within SIS under an existing category, such as an immigration violation or criminal offense. Belgian police provided no specific examples to corroborate this assertion.

¶11. (S) Neither the National Judicial Database or the SIS collect biometrics at this time. The European Commission, as part of its effort to deploy the Visa Information System (VIS) throughout the Schengen countries, proposed fingerprinting all VIS applicants at both the time of application and at the port of entry. Under this scheme, the VIS would be a de facto database storing the travel history of non-Schengen nationals that require a visa to enter the European Union. Should this arrangement be approved by the European Parliament later this year, it would prove a vast improvement for tracking the arrival and departures of third country nationals.

McKinley

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